

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF NORTH CAROLINA  
CHARLOTTE DIVISION  
3:07CV477-1-MU

DAVID E. SIMPSON, )  
 )  
Plaintiff, )  
 )  
v. )  
 )  
STALLINGS POLICE DEP'T, et al., )  
 )  
Defendant. )  
\_\_\_\_\_ )

**ORDER**

**THIS MATTER** comes before the Court upon Plaintiff's Motion for Medical Records (Doc. No. 6), filed December 28, 2007.

At this time, Plaintiff's request for medical records is premature and is denied. Moreover, in reviewing the record it has come to the Court's attention that Defendant Kane filed a counterclaim in his Answer to Plaintiff's Complaint. Plaintiff is on notice that he must respond to the counterclaim.

**IT IS THEREFORE ORDERED THAT:**

1. Plaintiff's Motion for Medical Records is **DENIED**; and
2. Plaintiff is directed to answer the counterclaim set forth in Defendant Kane's Answer to the Complaint within twenty days of the filing of this Order.

Signed: October 2, 2008



Graham C. Mullen  
United States District Judge

